REMARKS

The continuing data has been amended to indicate that the instant application is a continuation of U.S. Application No. 09/730,525, as well as to update the status of several other parent applications.

Claims 1-27 have been cancelled. Claims 28-41 are now pending in the instant application.

In the instant application's parent (Application No. 09/102,419), the Office indicated in a "Notice to Comply" dated August 26, 1998, that the originally filed sequence listing failed to comply with the requirements of 37 C.F.R. § 1.821 through 1.825. Therefore, in parent application no. 09/102,419, Applicants were required to provide a substitute computer readable form (CRF) copy of the Sequence Listing; a substitute paper copy of the Sequence Listing, as well as an amendment directing its entry into the specification; and a statement that the content of the paper and computer readable copies were the same and included no new matter.

Specifically, in the parent application no. 09/102,419, the "Notice to Comply" indicated that the Title of the Invention on the first page of the Sequence Listing needed a hard page return so that all text would fit onto a printed page. This correction was made in a substitute Sequence Listing submitted in the parent application no. 09/102,419 on September 24, 1998. Also, the "Notice to Comply" indicated that information for SEQ ID NO:1 was incorrect. Specifically, mandatory headings were missing. This information was inserted above SEQ ID NO:1 in the substitute Sequence Listing. No new matter was added, as the inserted heading information was taken *verbatim* from the Sequence Listing of parent application no. 09/050,603, which was incorporated by reference into the specification. (*See*, continuing information on page 1 of the specification.).

The Sequence Listing has been amended to show the amendments to the title, the changes in corporate name, change in attorney, contact telephone number, and continuing application data.

A paper copy of the substitute Sequence Listing with the corrections required in the parent application no. 09/102,419 is appended hereto, and an amendment directing its entry into the

Heifetz et al. Atty Docket: 20757USCON8

specification is set forth above.

Pursuant to 37 C.F.R. § 1.825, Applicants' attorney hereby certifies that the contents of the substitute paper copy of the Sequence Listing submitted herewith and the contents of the substitute computer readable form (CRF) copy of the Sequence Listing submitted on Sept. 24, 1998, in parent application no. 09/102,419 are the same. Accordingly, please use the CRF Sequence Listing submitted on Sept. 24, 1998 in the parent application no. 09/102,419 for purposes of examination of the instant divisional application.

No new matter has been added. Accordingly, entry of the above amendments is respectfully requested. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call Applicants' undersigned attorney.

Respectfully submitted,

Syngenta Biotechnology Inc. 3054 Cornwallis Road Research Triangle Park, NC 27709-2257

Date: 7/23/03

Mary Kakefuda Mary Kakefuda

Attorney for Applicants

Registration No. 39,245

Telephone: 919-765-5071

Fax (919) 541-8689